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U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

FILED

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16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA
18 WESTERN DIVISION

19 [Seal],	) No. CV 10-1031 MMM (RZx)
20 Plaintiffs)
21 v.	) NOTICE OF THE UNITED STATES OF
22 [Seal]	) AMERICA THAT IT IS NOT
23 Defendant.	) INTERVENING AT THIS TIME
24)
25	) FILED UNDER SEAL PURSUANT TO
26	) THE FALSE CLAIMS ACT, 31 U.S.C.
27	) SECTION 3730 (b) (2)
28)
	) [LODGED CONCURRENTLY:
) [PROPOSED] ORDER RE UNITED
) STATES OF AMERICA'S NOTICE OF
) NON-INTERVENTION]
)
)

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CLERK OF DISTRICT COURT
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BY MM

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

[Seal],) No. CV 10-1031 MMM (RZx)
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Plaintiffs) NOTICE OF THE UNITED STATES OF
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[Seal]) FILED UNDER SEAL PURSUANT TO
) THE FALSE CLAIMS ACT, 31 U.S.C.
Defendant.) SECTION 3730 (b) (2)
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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UNITED STATES OF AMERICA,	)	No. CV 10-1031 MMM (RZx)
<u>ex rel.</u> SHELBY EIDSON,)	
	)	NOTICE OF THE UNITED STATES OF
Plaintiffs	)	AMERICA THAT IT IS NOT
	)	INTERVENING AT THIS TIME
v.)	
	)	FILED UNDER SEAL PURSUANT TO
AURORA LAS ENCINAS, LLC;	)	THE FALSE CLAIMS ACT, 31 U.S.C.
CALIFORNIA MENTAL HEALTH	)	SECTION 3730 (b) (2)
CARE NETWORK - LOS ANGELES,)	
LLC; SIGNATURE HEALTHCARE	)	[LODGED CONCURRENTLY:
SERVICES, LLC; PASADENA	)	[PROPOSED] ORDER RE UNITED
OAKS, LLC; PASADENA OAKS	)	STATES OF AMERICA'S NOTICE OF
PROPERTIES, LLC; PASADENA	)	NON-INTERVENTION]
LAS ENCINAS HEALTHCARE, LLC;)	
PASADENA LIFE PROPERTIES,)	
LLC; VISTA LIFE PROPERTIES,)	
LLC; AURORA LAS ENCINAS)	
PHARMACY, INC.; SOON K. KIM,)	
M.D.; ERIC KIM; LINDA PARKS;)	
AND P. BLAIR STAM, jointly)	
and severally,)	
)	
Defendants.)	

1 On 6 April 2010, the Court granted the United States of
2 America's (the "government") request to extend extending the
3 intervention and sealing period through 14 October 2010.
4 However, the Court also ordered that no further extensions of the
5 intervention and sealing period would be granted. The
6 government's investigation has not been completed and, as such,
7 the United States of America is not prepared to intervene or
8 decline to intervene in the case at this time. Accordingly,
9 based on its understanding that the Court has declined to extend
10 the intervention and seal period, the United States hereby
11 notifies the Court that it is not intervening at this time. The
12 government's investigation, however, will continue.

13 Although the United States is not intervening at this time,
14 it respectfully notifies the Court that the United States should
15 receive notice of any proposed dismissal of this action because
16 the United States has the right to a hearing on any objections to
17 a settlement or dismissal of the action. See U.S. ex rel. Green
18 v. Northrop Corp., 59 F.3d 953, 959 (9th Cir. 1995); U.S. ex rel.
19 Killingsworth v. Northrop Corp., 25 F.3d 715, 723-25 (9th Cir.
20 1994). Therefore, the United States requests that, should either
21 the relator or the defendants propose to dismiss, to settle, or
22 otherwise to discontinue this action, the Court provide the
23 United States with notice and an opportunity to be heard before
24 the Court rules on or grants its approval of the proposal.

25 Pursuant to 31 U.S.C. § 3730(c)(3), the United States also
26 requests that copies of all pleadings and papers filed or lodged
27 in this action be served upon the United States, through the
28 undersigned attorneys. The United States further requests that

1 all orders be sent to the undersigned attorneys. The United
2 States reserves its right to order any deposition transcripts and
3 to intervene in this action, at a later date, for good cause.

4 A proposed Order accompanies this Notice.

5 Dated: 8 October 2010

6 Respectfully submitted,

7 ANDRÉ BIROTTE JR.
8 United States Attorney
9 LEON W. WEIDMAN, AUSA
10 Chief, Civil Division
11 GARY PLESSMAN, AUSA
12 Chief, Civil Fraud Section

13 

14 DAVID M. HARRIS
15 Assistant United States Attorney

16 Attorneys for the
17 United States of America
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PROOF OF SERVICE BY MAIL

I am over the age of 18 and not a party to the within action. I am employed by the Office of United States Attorney, Central District of California. My business address is 300 North Los Angeles Street, Suite 7516, Los Angeles, California 90012.

On October 8, 2010, I served NOTICE OF THE UNITED STATES OF AMERICA THAT IT IS NOT INTERVENING AT THIS TIME on each person or entity named below by enclosing a copy in an envelope addressed as shown below and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary office practices. I am readily familiar with the practice of this office for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

Date of mailing: October 8, 2010.

Place of mailing: Los Angeles, California.

Person(s) and/or Entity(ies) to whom mailed:

See attached list.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on October 8, 2010 at Los Angeles, California.


ANGELA M FIORE

SERVICE LIST

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